

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1618 of 1996

For Approval and Signature:

Hon'ble THE CHIEF JUSTICE G.D.KAMAT

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SAMIMBANU ISMAILKHAN PATHAN FOR ISMAILKHAN AYUBKHAN PATHAN

Versus

STATE OF GUJARAT

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Appearance:

PARTY-IN-PERSON for Petitioner

Mr.M.R. Anand, PUBLIC PROSECUTOR,

with Mr.L.R. Pujari, APP, for Respondent No. 1

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CORAM : THE CHIEF JUSTICE G.D.KAMAT

Date of decision: 02/12/96

ORAL JUDGEMENT

Rule. By consent, to be heard forthwith.

This application prays for release on parole of Ismailkhan Ayubkhan Pathan, who is incarcerated at Central Jail at Ahmedabad. It is common ground that Ismailkhan is convicted for offences punishable under the N.D.P.S. Act in January, 1992. It appears that, in the past, he had been released on parole under escort on certain occasions. In the present application, parole is claimed on the basis that sister-in-law of his mother-in-law has expired and the aforementioned Ismailkhan is required to attend some ceremony connected with the funeral on 10th of December, 1996. The Jail Authorities are directed to consider the request of Ismailkhan Ayubkhan Pathan for his release at least for a day, escort or otherwise, within five days from today.

Petition accordingly stands disposed of. Rule is made absolute to the above extent.

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(apj)